

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

WINFRED TUTTLE #374487,

Plaintiff,

File no: 2:08-CV-113

v.

HON. ROBERT HOLMES BELL

JOHN BOYNTON, et al.,

Defendants.

**ORDER APPROVING MAGISTRATE'S**  
**REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. (Dkt. No. 18.) The Report and Recommendation was duly served on the parties. No objections have been filed.

Accordingly, the Report and Recommendation (Dkt. No. 18) is hereby **ADOPTED** as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that the motion for summary judgment filed by Defendants Boynton, MacLaren, and Mansfield (Dkt. No. 10) is **DENIED**.

Dated: July 15, 2009

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE